

ADVERTISEMENT TO BID NOTICE:

is hereby given that sealed proposals will be received by the Borough Clerk in the Council Chambers at the Bradley Beach Municipal Building on: Friday, December 20, 2024 at 11:00 AM, prevailing local time or soon thereafter as possible at which time they will be publicly opened and read aloud for the following: Demolition and Disposal of Structures Location: 317-319 LaReine Avenue Block 41, Lot 1. Detailed Bid proposal packets are on file at the Front Desk 701 Main Street, Bradley Beach, NJ 07720, between the hours of 9:00 am - 4:00 p.m., Monday through Friday or can be downloaded from the Borough of Bradley Beach's website: www.bradleybeach-nj.gov. The bid packet shall be accompanied by a Proposal Guarantee in the form of Certified Check, Cashier's Check, or Satisfactory Bid Bond in the amount of 10% (ten percent) of the bid. Check or Surety Company Bid Bond shall be made payable to the Borough of Bradley Beach, NJ. The successful bidder will be required to furnish and deliver proposed goods/services in accordance with specifications and proposal cost. The Bid Proposal Form shall also be accompanied by the following properly executed: Non-Collusion Affidavit; Affirmative Action Affidavit; Statement of Ownership; Bid Proposal Sheet; Business Registration Certificate; Disclosure of Investment Activities in Iran; Disclosure of Non-Involvement in Russia/Belarus; Acknowledgement of Receipt of Change to Bidder Document; Certificate of Employee Information Report Certificate; Qualification Affidavit; Acknowledgement and Statement of Organization; Certification of Bidder's Status ... Debarred Contractors; Insurance Requirements; & Bid Document Submission Checklist. Proposal is to be enclosed in a sealed envelope and distinctly show the name of the Bidder and marked on the outside: Bids will be accepted by mail or may be delivered and presented at the date and time set at the place herein listed above. Bids sent by mail or hand-delivered must be received prior to the time set for receiving bids and should be brought to the Municipal Clerk or mailed to: Borough of Bradley Beach 701 Main Street, Bradley Beach, NJ 07701 Bidders are required to comply with N.J.S.A. 34-11- 56.25 regulating wages on Public Works, with the Equal Employment Opportunity Act, Requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. Affirmative Action and with the requirements of P.L. 1977 C33 regarding the submission of a list of all Stockholders or Partners owning more than 10% stock or interest in their Corporation or Partnership. All documentation shall be available for five years for review by the State Comptroller. The Borough Council reserves the right to reject any or all bids due to any defects or for not adhering to the Specifications or for any reason or to waive informalities and accept any bid that in its judgment will be in the best interest of the Borough of Bradley Beach. The Borough Council reserves the right to sever and make awards of all or parts of any bids to one or more bidders.

Erica Kostyz, Municipal Clerk

Borough of Bradley Beach
County of Monmouth, State of New Jersey
Bid Document for Demolition and Disposal of Structures
Location: 317-319 LaReine Avenue
Block 41, Lot 1
Bid Opening Date: December 20th, 2024
Time: 11:00 a.m. EST

1. Introduction

The Borough of Bradley Beach is seeking bids for the demolition and disposal of all structures located on the property at 317- 319 LaReine Avenue. This project is authorized by a resolution of the Mayor and Council in accordance with the New Jersey Local Public Contracts Law.

2. Project Description

The work involves the complete demolition and removal of all structures on the specified property. The successful bidder will be responsible for ensuring compliance with all local, state, and federal regulations pertaining to demolition, waste disposal, and environmental safety.

Proposals must be sealed and delivered to the Office of the Municipal Clerk of the Borough of Bradley Beach ***on or before*** date and time indicated below. The envelope submitted to the Office of the Municipal Clerk should bear the following information:

Title: **Demolition and Disposal of Structures 317-319 LaReine Avenue**

Name and Address of the Vendor

Date: **December 20th, 2024**

Time: **11:00 a.m. EST**

Proposal may also be submitted to the Administrator or her designee prior to the advertised date and time. On the advertised date and time, the Borough Clerk shall publicly receive and open all proposals and announce the names of the vendors that have submitted proposals. ***No BID PROPOSALS shall be received after the time designated in the advertisement.***

Time sensitive dates for the proposal process are:

BID PROPOSAL released to vendors	November 29 th , 2024
Final day for Questions to BA	December 9 th , 2024
Date for issuance of Addendum (if necessary) This is the responsibility of the contractor to check the bid section on the borough website:	December 10 th , 2024

All Vendors are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., Affirmative Action Against Discrimination (N.J.A.C. 17:27-1 et seq.)

Business entities submitting proposals are required by law (Chapter 33, Laws of 1977) to submit a list of names and addresses of all stockholders owning 10% or more of their stock unless the business entity is publicly traded or a not-for profit, in which case other action must be taken to comply with the proposal requirements.

The BID PROPOSAL package will also include other documents that must be completed and returned with the BID PROPOSAL. Failure to comply with Instructions and to complete and submit all required forms, may be cause for disqualification of the Vendor and rejection of the BID PROPOSAL.

No proposal may be withdrawn, except in accordance with the Local Public Contracts Law, for a period of sixty (60) days after the date set for opening of proposals.

The Borough of Bradley Beach reserves the right to reject any or all BID PROPOSALS, pursuant to N.J.S.A. 40A:11-1 et seq. and to waive any informalities in accordance with the applicable law.

Ethics in Purchasing

Borough of Bradley Beach Responsibility

Recommendation of Purchases

It is the desire of the Borough of Bradley Beach to have all employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

Government officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 40A:11-1 et seq.

Solicitation/Receipt of Gifts – Prohibited

Government officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the Borough of Bradley Beach or anyone proposing to do business with the Borough of Bradley Beach.

Vendor Responsibility

Offer of Gifts, Gratuities -- Prohibited

Any vendor doing business or proposing to do business with the Borough of Bradley Beach, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the Borough of Bradley Beach or to any member of the official's or employee's immediate family.

Vendor Influence -- Prohibited

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the Borough of Bradley Beach, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors or potential vendors will be asked to certify that no official or employee of the Borough of Bradley

Beach or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the Borough of Bradley Beach.

ADVISORY INFORMATION FOR VENDORS

1. PROMPTNESS OF PROPOSAL SUBMITTAL

It is the responsibility of the Vendor to ensure that their proposal is presented in a sealed envelope to the Office of the Municipal Clerk or designee, prior to the advertised bid proposal date and time. No bid proposals shall be received after the time designated in the

bid proposal advertisement. No extensions or exceptions will be made. The Borough Clerk office is opened Monday through Friday from 9:00 a.m. – 4:00 pm. Vendors may also submit proposal to the Municipal Clerk or his/her designee at the Borough of Bradley Beach Offices, prior to the advertised proposal opening date and time. Once again, proposals will not be received after the time designated in the advertisement.

2. PARKING

Parking in the vicinity of the Administration Building is at a premium. ***Allow enough time to locate a parking space.***

3. MAIL

Mail is brought to the offices each day. The Borough of Bradley Beach is not responsible for delays in mail delivery.

4. UPS / FED EX / AND OTHER EXPRESS DELIVERY SERVICES

These items are brought only to the receptionist at the main building entrance. The receptionist then calls the various departments with a request to pick up their items. There may be some delay in getting proposals to the Clerk's Office. The Borough of Bradley Beach is not responsible for delays in mail delivery.

5. HAND DELIVERY OF PROPOSALS –

Keeping the aforementioned items in mind, the Borough of Bradley Beach suggests that vendor arrange to hand deliver their proposal, and personally turn it in before the advertised date and time. Please understand that proposals arriving after the advertised date and time, for any reason, cannot be considered.

Submission of Original bid proposal; Two Copies of the Proposal and a flash drive copy

All Proposals are to be submitted in duplicate; one (1) original; (2) copies and (1) flash drive in a sealed labeled envelope

CHECKLIST (A)

A. Proposal packages must be submitted in duplicate on the proposed forms as provided, and in the manner designated. The Borough of Bradley Beach will accept one flash drive, one original proposal and two hard copies of the proposal. Please include all items, organized as follows:

Failure to submit the listed documents with the proposal may be cause for rejection of the entire proposal for being non-responsive. Failure to submit any of the documents marked

with an [*] shall be cause for automatic disqualification of the Vendor and rejection of the proposal.

Please include all items, organized as follows:

Checklist

Proposal Form *

Acknowledgement of Addenda *

Political Contributions Disclosure Form

Disclosure of Investment in Iran Form *

Non-Collusion Affidavit

Stockholder/Partnership Disclosure and Statement of Ownership Form*

Appendix A Form AMERICANS WITH DISABILITIES ACT OF 1990

Affirmative Action Compliance Notice Form

New Jersey Business Registration Certificate (Vendor and Subcontractors)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
(Vendor and Subcontractor)

GENERAL SPECIFICATIONS

INSTRUCTIONS TO VENDORS

1. AFFIRMATIVE ACTION REQUIREMENTS

All vendors should familiarize themselves with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., Exhibit B, MANDATORY AFFIRMATIVE ACTION LANGUAGE CONSTRUCTION CONTRACTS.

All relevant questions should be related to:

Department of the Treasury /
Division of Purchase and Property/Contract Compliance and Audit Unit
Public Contracts Equal Opportunity Compliance Monitoring Program
P.O. 206
Trenton, New Jersey 08625-0206
(609) 292-5473

2. AMERICANS WITH DISABILITIES ACT

The contractor must comply with all provisions of the Americans with Disabilities Act (ADA), P.L 101-336, in accordance with 42 U.S.C. § 12101 et seq.

3. ANTI-DISCRIMINATION PROVISIONS—N.J.S.A. 10:2-1

N.J.S.A. 10:2-1. Anti discrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any Borough of Bradley Beach or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on its behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the contractor by the contracting public Borough of Bradley Beach, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public Borough of Bradley Beach, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public Borough of Bradley Beach of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent Borough of Bradley Beach from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490.

4. PROPOSAL FORM

All proposals are to be written on the official Proposal Form. **Because of the complexity rates and coverages, it is acceptable and expected that the vendor will enter "see attached materials" and provide the same as an exhibit to the proposal including the provided Rate Form.**

The Proposal Form must be duly signed by the authorized representative of the company, at the end of the Proposal Form. **Failure to sign the Proposal Form may be cause to disqualify the entire bid proposal.** If the Proposal Form or exhibits contains more than one sheet, then Vendors are requested to affix the company name and address on each intervening sheet between the front sheet and the signature sheet which already bear the company information.

The vendor also conveys by submitting a proposal that the company he/she represents is financially solvent, experienced in and competent to perform the type of work so specified.

5. BUSINESS REGISTRATION CERTIFICATE (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:32-44 as amended, all vendors or companies providing responses for requested proposals, should submit with their response package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey.

The Borough of Bradley Beach requests that all respondents for this proposal submit a current New Jersey Business Registration Certificate with the proposal.

Failure to provide the New Jersey Business Registration Certification prior to the award of contract, will be cause for the rejection of the entire proposal.

Goods, Services and Construction Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors:

A contractor shall provide the contracting Borough of Bradley Beach with the business registration of the contractor and that of any named subcontractor prior to the time a

contract, purchase order, or other contracting document is awarded or authorized. At the sole option of the contracting Borough of Bradley Beach, the requirement that a contractor provide proof of business registration may be fulfilled by the

contractor providing the contracting Borough of Bradley Beach sufficient information for the contracting Borough of Bradley Beach to verify proof of registration of the contractor, or named subcontractors, through a computerized system maintained by the State.

A subcontractor named in a bid proposal or other proposal made by a contractor to a contracting Borough of Bradley Beach shall provide a copy of its business registration to any contractor who shall provide it to the contracting Borough of Bradley Beach pursuant to the provisions of subsection b. of this section. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting Borough of Bradley Beach unless the subcontractor first provides the contractor with proof of a valid business registration. For BID PROPOSALS and requests for proposals, the contracting Borough of Bradley Beach must retain the proof of business registration in the file where documents relating to the contract are maintained. For all other contracts, proofs of business registration shall be maintained in an alphabetical file.

The contractor shall maintain and submit to the contracting Borough of Bradley Beach a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods provided or services rendered or for construction of a construction project under the contract. A contracting Borough of Bradley Beach shall not be responsible for a contractor's failure to comply with this subsection.

A contractor or a contractor with a subcontractor that has entered into a contract with a contracting Borough of Bradley Beach, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L. 1966, c.30 (C.54:32B-1 et seq.) on all their taxable sales of tangible personal property delivered into this State.

SAMPLES OF

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT
TRADE NAME: CLIENT REGISTRATION
TAXPAYER IDENTIFICATION: 870-087-082/089
SEQUENCE NUMBER: 010010
ADDRESS: 847 ROUBLING AVE
TRENTON NJ 08611
ISSUANCE DATE: 07/16/04

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
100 SOUTH MOUNTAIN AVE
TRENTON, NJ 08646

John S. Tully
Public Treasurer

The Certificate is void and expires on termination. It must be continuously displayed at above address.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT
Trade Name:
Address: 847 ROUBLING AVE
TRENTON, NJ 08611
Certificate Number: 1095907
Date of Issuance: October 14, 2004

For Office Use Only:
20041014112823533

NEW JERSEY

BUSINESS REGISTRATION

CERTIFICATES

All respondents are urged to submit with their response, a copy of their firm's New Jersey Business Registration Certificate. Failure to submit the Certificate prior to the award of contract will result in the rejection of the proposal.

6. CHALLENGES TO SPECIFICATIONS

Any prospective vendor who wishes to challenge a specification shall file such challenges in writing with the Administrator no less than three (3) days prior to the receipt of the proposals. **Challenges filed after that date shall be considered void and have no impact on the Borough of Bradley Beach or the award of a contract.**

7. CONTRACTS

A. Award of Contract; Rejection of BID PROPOSAL

The contract shall be awarded, if at all, to the lowest responsible vendor as determined by the Borough of Bradley Beach, based on price and other factors considered. The Solicitor shall review each submission for legal compliance. The Borough of Bradley Beach reserves the right to reject any or all bid proposals as authorized by the Local Public Contracts Law, and to waive any nonmaterial defects and/or informalities in accordance with applicable laws. The Borough of Bradley Beach shall award the contract or reject all bid proposals within sixty (60) days of the advertised date and time subject to the extension exception as highlighted in the law.

B. Purchase Order Required

No contractor shall commence any public works project until he is in receipt of an approved purchase order authorizing work to begin. (See Notice (Authorization) to Proceed)

8. CONTRACTOR/VENDOR REQUIREMENTS—OFFICE OF THE NEW JERSEY STATE COMPTROLLER

Contractors/vendors doing business with the Borough of Bradley Beach are reminded of the following legal requirements pertaining to the Office of the New Jersey State Comptroller:

A. Access to Relevant Documents and Information—N.J.S.A. 52:15C-14 (d)

Private vendors or other persons contracting with or receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or Borough of Bradley Beach shall upon request by the State Comptroller provide the State Comptroller with prompt access to all relevant documents and information as a condition of the contract and receipt of public monies. The State Comptroller shall not disclose any document or information to which access is provided that is confidential or proprietary. If the State Comptroller finds that any person receiving

funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or Borough of Bradley Beach refuses to provide information upon the request of the State Comptroller, or otherwise impedes or fails to cooperate with any audit or performance review, the State Comptroller

may recommend to the contracting unit that the person be subject to termination of their contract, or temporarily or permanently debarred from contracting with the contracting unit.

B. Maintenance of Contract Records—N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d).

The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

9. DEBARMENT, SUSPENSION, OR DISQUALIFICATION – (N.J.A.C. 17:19-4.1)

The Borough of Bradley Beach will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred) or the Federal System for Award—SAM.gov.

All vendors are required to submit a sworn statement indicating whether or not it is, at the time of the BID PROPOSAL, included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List--Excluded Parties List System, through the System for Award Management portal—

SAM.gov.

10. DOCUMENTS, MISSING/ILLEGIBLE

The vendor shall familiarize itself with all forms provided that are to be returned with the proposal. If there are any forms either missing or illegible, it is the responsibility of the Vendor to contact the Administrator during regular business hours for duplicate copies of the forms. This must be done before the bid proposal date and time. The Borough of Bradley Beach accepts no responsibility for duplicate forms that were not received by the vendor in time for the Vendor to submit with its bid proposal.

*Forms provided by the Borough of Bradley Beach that must be returned with BID PROPOSAL are referenced in the proceeding checklist.

11. EXAMINATION OF SPECIFICATIONS, ACKNOWLEDGEMENT

The vendor, by submitting a proposal, acknowledges that it has carefully examined the BID PROPOSAL specifications, documents, addenda (if any), and the site; and that from its investigation, it has satisfied itself as to the nature and location of the work, the general and local conditions and all matters which may in any way affect the work or its performance, and that as a result of such examination, it fully understands the intent and purpose thereof, its obligations thereunder, and that it will not make any claim for, or have any right to damages, because of the lack of any information.

Each vendor submitting a bid proposal for a service contract shall include in its proposal all labor, materials, equipment, services, and other requirements necessary, or THIRD PARTY ADMINISTRATION SERVICES to, the completion of the work, and other pertinent work as hereinafter described, or work that can be reasonably inferred from the specifications and documents, in accordance

with the specifications and documents.

12. FALSE MATERIAL REPRESENTATION – (N.J.S.A. 2C:21-34-97(b))

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award or performance of a government contract. If the contract amount is for \$25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds \$2,500.00, but is less than \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.00 or less, the offender is guilty of a crime of the fourth degree.

13. INTERPRETATIONS AND ADDENDA

No interpretation of the meaning of the specifications will be made to any vendor orally. Every request for such interpretations should be made in writing to the Administrator and must be received at least ten (10) business days, not including Saturdays, Sundays and holidays, prior to the date fixed for the opening of bid proposals to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of written addenda to the specifications. The addenda will be provided to all potential vendors by certified mail or certified fax no later than seven (7) days, Saturdays, Sundays, or holidays prior to the date for acceptance of the bid proposals. All addenda so issued shall become part of the contract document.

14. IRAN DISCLOSURE OF INVESTMENT ACITIVITIES

The bidder shall comply with Public Law 2012, c.25, Disclosure of Investment Activities in Iran—N.J.S.A. 52:32-55 et seq.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a proposal or otherwise proposes to enter into or renew a contract, must complete a certification attesting, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran.

The Chapter 25 list is found on the Divisions website

<http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

If the Borough of Bradley Beach determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran under section 4 of P.L.2012, c.25 (C.52:32-58), the Borough of Bradley Beach shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L.2012, c.25 (C.52:32- 59).

In addition, Vendors must provide a detailed, accurate and precise description of the activities of the proposing person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes on the lower portion of the enclosed form.

The Borough of Bradley Beach has provided within the specifications, a Disclosure of Investments Activities certification form for all persons or entities, that plan to submit a bid proposal, respond to a proposal, or renew a contract with the Borough of Bradley Beach , to complete, sign and submit with the proposal.

Failure to complete, sign and submit the Disclosure of Investment Activities in Iran form with the proposal shall be cause for rejection of the proposal.

15. LIABILITY – COPYRIGHT

The contractor (vendor) shall hold and save the Borough of Bradley Beach, its officials and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

16. NON-COLLUSION AFFIDAVIT (N.J.S.A. 52:34-15)

A notarized Non-Collusion Affidavit shall be submitted with the proposal. The vendor has to certify that it has not directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential vendors, or otherwise taken any action in restraint of free, competitive bid proposal in connection with the above named proposal, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Borough

of Bradley Beach relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said proposal.

The vendor has to further warrant that no person or selling Borough of Bradley Beach has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees of bona fide established commercial or selling agencies maintained by the respondent.

The Borough of Bradley Beach has provided a Non-Collusion Affidavit form here within the specifications package. All vendors are to complete, sign, have the signature notarized and submit the form with the proposal response.

Failure to submit the Non-Collusion Affidavit with the proposal may be cause for the disqualification of the proposal.

17. POLITICAL CONTRIBUTIONS DISCLOSURE – REQUIREMENTS

Annual Disclosure

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 section 3) if the business entity receives contracts in excess of \$50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement commission at 1-888-313-3532 or at www.elec.nj.us.

Chapter 271 Political Contribution Disclosure Form

Business entities (contractors) receiving contracts from Borough of Bradley Beach that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of

P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:

of the public entity awarding the contract

of that county in which that public entity is located

of another public entity within that county

or of a legislative local government entity in which that public entity is located or, when the public entity is a county, of any legislative local government entity which includes all or part of the county.

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

The Borough of Bradley Beach has provided a Chapter 271 Political Contribution Disclosure Form within the specifications package for use by the business entity. The disclosed information may exceed the minimum requirement.

The enclosed Chapter 271 Political Contribution Disclosure form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

POLITICAL CONTRIBUTIONS/AWARD OF CONTRACTS

Please note the following:

Award of Contract -- Reportable Contributions --

No public body will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L.1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to a member of the public body during the preceding one year period.

Contributions During Term of Contract – Prohibited “Contributions reportable by the recipient under P.L. 1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to any member of the governing body from any business entity doing business with the Borough of Bradley Beach are prohibited during the term of the contract.” “When a business entity referred in 4.1(e) is a natural person, contribution by that person’s spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.”

Chapter 271 Political Contribution Disclosure Form – Required

All business entities shall submit with their proposal package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the Borough of Bradley Beach to determine whether the business entity is in compliance with this provision.

The Chapter 271 Political Contribution Disclosure form shall be submitted with the response to the proposal or no later than ten (10) days prior to the award of contract. Failure to provide the completed and signed form shall be cause for rejection of the bid proposal.

18. STOCKHOLDERS’ DISCLOSURE (N.J.S.A. 52:25-24.2)

No corporation, partnership or limited liability company, shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, the cost of which is to be paid with or out of any public funds, by the State, or any county, municipality or local government entity, or any subsidiary or Borough of Bradley Beach of the State, or of any county, municipality or local government entity, or by any authority, board, or commission which exercises governmental functions, unless prior to the receipt of the bid proposal or accompanying the bid proposal, of said corporation, said partnership, or said limited liability company, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its

stock, of any class or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. If one or more such stockholder or partner or member is itself a corporation or partnership, or limited liability company, the stockholders holding 10 percent or more of that corporation's

stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the

case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a Vendor with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest. N.J.S.A. 52:25-24.2—as amended P.L. 2016 c.43

The Borough of Bradley Beach has provided within the specifications, a form entitled: STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP All Vendors/respondents are to complete, sign and submit both pages for the form.

Failure to complete, sign and submit the Stockholders' Disclosure Form with the proposal, shall be cause for the disqualification of the Vendor and rejection of the proposal.

19. TERMINATION OF CONTRACT

If the Borough of Bradley Beach determines that the contractor has failed to comply with the terms and conditions of the BID PROPOSAL and upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties and or responsibilities in a timely, proper, professional and/or efficient manner, then the Borough of Bradley Beach shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

Termination of the contract does not absolve the contractor from potential liability for damages caused the Borough of Bradley Beach by the contractor's breach of this agreement. The Borough of Bradley Beach may withhold payment due the contractor and apply same towards damages once established. The Borough of Bradley Beach will act diligently in accordance with governing statutes to mitigate damages. Damages may include the additional cost of procuring said services or goods from other sources.

The contractor further agrees to indemnify and hold the Borough of Bradley Beach harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

20. WITHDRAWAL OF BID PROPOSALS

Before The BID PROPOSAL Opening

A vendor may withdraw a BID PROPOSAL if the written request is received by the Administrator before the advertised time of the proposal opening.

After The BID PROPOSAL Opening

The Borough of Bradley Beach may consider a written request from a Vendor to withdraw a bid proposal, if the written request is received by the Administrator within five (5) business days after the bid proposal opening. A request to withdraw a bid proposal after the specified number of days will not be honored with the documentation required by law.

21. EXPERIENCE

The Borough of Bradley Beach requests information from all vendors regarding any of the vendor's completed work or projects of a similar nature as outlined in the proposal package. Vendors are asked to provide information regarding completion of work of similar nature as outlined in the proposal from up to Three (3) public agencies in New Jersey within the past Five (5) years. Vendors are asked to complete this section on experience and, if appropriate, provide supporting documentation with the submission.

BID PROPOSAL DOCUMENTS AND REQUIRED DOCUMENTATION

All documents in this section shall be completed, signed and submitted with the BID PROPOSAL – Failure to submit the bid proposal documents and other documents so specified may be cause to reject the bid proposal for being non-responsive

BUSINESS REGISTRATION CERTIFICATE (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:32-44 as amended, all vendors or companies providing responses for requested proposals, should submit with their response package a copy of their “New Jersey Business Registration Certificate” as issued by the Department of Treasury of the State of New Jersey.

The Borough of Bradley Beach requests that all respondents for this proposal submit a current New Jersey Business Registration Certificate with the proposal.

Failure to provide the New Jersey Business Registration Certification prior to the award of contract, will be cause for the rejection of the entire proposal.

Goods, Services and Construction Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors:

A contractor shall provide the contracting Borough of Bradley Beach with the business registration of the contractor and that of any named subcontractor prior to the time a contract, purchase order, or other contracting document is awarded or authorized. At the sole option of the contracting Borough of Bradley Beach, the requirement that a contractor provide proof of business registration may be fulfilled by the contractor providing the contracting Borough of Bradley Beach sufficient information for the contracting Borough of Bradley Beach to verify proof of registration of the contractor, or named subcontractors, through a computerized system maintained by the State.

A subcontractor named in a bid proposal or other proposal made by a contractor to a contracting Borough of Bradley Beach shall provide a copy of its business registration to any contractor who shall provide it to the contracting Borough of Bradley Beach pursuant to the provisions of subsection b. of this section. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting Borough of Bradley Beach unless the subcontractor first provides the contractor with proof of a valid business registration. For bid proposals and requests for proposals, the contracting Borough of Bradley Beach must retain the proof of business registration in the file where documents relating to the contract are maintained. For all other contracts, proofs of business registration shall be maintained in an alphabetical file.

The contractor shall maintain and submit to the contracting Borough of Bradley Beach a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods provided or services rendered or for construction of a construction project under the contract. A contracting Borough of Bradley Beach shall not be responsible for a contractor's failure to comply with this subsection.

A contractor or a contractor with a subcontractor that has entered into a contract with a contracting Borough of Bradley Beach, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on all their taxable sales of tangible personal property delivered into this State.

BID PROPOSAL FORM

(Contract Title and Bid Number, if applicable)

_____ (

Description of goods/services being bid)

The undersigned proposes to furnish and deliver the above goods/services pursuant to the bid specification and made part hereof:

Amount in words

\$ _____

Amount in numbers

Company Name Federal I.D. # or Social Security #

Address

Signature of Authorized Agent Type or Print Name

Title: _____

Telephone Number Date

Fax Number E-mail address

Maintenance of Contract Records

N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d).

The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

Mandatory Antidiscrimination Provision

N.J.S.A. 10:2-1

The contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender

identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

c. There may be deducted from the amount payable to the contractor by the contracting Borough of Bradley Beach, under this contract, a penalty of \$ 50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public Borough of Bradley Beach, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public Borough of Bradley Beach of any prior violation of this section of the contract.

ACKNOWLEDGEMENT OF ADDENDA

The vendor acknowledges receipt of the hereinafter enumerated Addenda which have been issued during period of solicitation and agrees that said Addenda shall become a part of this contract. The vendor shall list below the numbers and issuing dates of the Addenda.

ADDENDA NO. ISSUING DATES

No Addenda Received

Name of Company

Address P.O. Box

Borough, State, Zip Code

Name of Authorized Representative

Signature Date

Chapter 271

Political Contribution Disclosure Form

(Contracts that Exceed \$17,500.00)

Ref. N.J.S.A. 19:44-20.26

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that (**Business Entity**) has made the following reportable

political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44- 20.26 during the twelve (12) months preceding this award of contract:

Reportable Contributions

<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Name of Recipient Elected Official/ Committee/Candidate</u>	<u>Name of Contributor</u>

The Business Entity may attach additional pages if needed.

No Reportable Contributions (Please check (✓) if applicable.)

I certify that (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26.

Certification

I certify, that the information provided above is in full compliance with Public Law 2005— Chapter 271. Name of Authorized Agent

Signature Title

Business Entity

B. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM Contractor Instructions

Business entities (contractors) receiving contracts from a public Borough of Bradley Beach are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - o of the public entity awarding the contract
 - o of that county in which that public entity is located
 - o of another public entity within that county
 - o or of a legislative local government entity in which that public entity is located or, when the public entity is a county, of any legislative local government entity which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

• **Debarment**

Name of Company **Certifications**

I certify that the entity listed on the form or any person employed by this entity, are not presently on the following: • New Jersey Department of Treasury – Consolidated Debarment Report

- New Jersey Department of Labor – Prevailing Wage Debarment List
- Federal Debarred Vendor List—System for Award Management (SAM.gov)

• **Direct/Indirect Interests**

I declare and certify that no member of the Borough of Bradley Beach, nor any officer or employee or person whose salary is payable in whole or in part by said Borough of Bradley Beach or their immediate family members are directly or indirectly interested in this BID PROPOSAL or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where an elected official, employee, or officer has an interest in the BID PROPOSAL, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

• **Gifts; Gratuities; Compensation**

I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift,

gratuity or other thing of value to any elected official or employee of the Borough of Bradley Beach .

- **False Material Representation**

I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

President or Authorized Agent

Signature

STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number:

Bidder/Offeror:

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	<input type="text"/>	Relationship to Bidder/Offeror	<input type="text"/>
Description of Activities	<input type="text"/>		
Duration of Engagement	<input type="text"/>	Anticipated Cessation Date	<input type="text"/>
Bidder/Offeror Contact Name	<input type="text"/>	Contact Phone Number	<input type="text"/>

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):

Signature:

Do Not Enter PIN as a Signature

Title:

Date:

NON-COLLUSION AFFIDAVIT

Re: Bid proposal for the Borough of Bradley Beach .

STATE OF

ss:

COUNTY OF

I, of the Borough of

in the County of and the State of

of full age, being duly sworn according to law on my oath depose and say that:

I am (Position in Company)

of the firm of and the Vendor making the Proposal for the above names contract, and that I executed the said Proposal with full authority so to do; that I have not, directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential Vendor, or otherwise taken any action in restraint of free, competitive bid proposal in connection with the above named bid proposal, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of Bradley Beach relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid proposal.

I further warrant that no person or selling Borough of Bradley Beach has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees of bona fide established commercial or selling agencies maintained by

(Print Name of Contractor)

Subscribed and sworn to:

(SIGNATURE OF CONTRACTOR)

before me this day of ,

Day Month Year

NOTARY PUBLIC SIGNATURE Print Name of Notary Public

My commission expires , . - **Seal** - Month Day Year

STATEMENT OF OWNERSHIP

(OWNERSHIP DISCLOSURE CERTIFICATION)

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This Statement Shall Be Included with All Proposal Submissions

Name of Business:

Address of Business:

Name of person completing this form:

N.J.S.A. 52:25-24.2:

"No corporation, partnership, or limited liability company shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the proposal, or accompanying the proposal of said corporation, said partnership, or said limited liability company there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case maybe.

If one or more such stockholder or partner or member is itself a corporation or partnership or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member, exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a Vendor with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the proposer to submit the required information is cause for automatic rejection of the proposal

Part I

Check the box that represents the type of business organization:

Sole Proprietorship (skip Parts II and III, sign and notarize at the end)

Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)

Partnership Limited Partnership Limited Liability Partnership

Limited Liability Company

For-profit Corporation (including Subchapters C and S or Professional Corporation) Other (be specific):

Part II

I certify that the list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: Name: Address: Address:

Name: Name: Address: Address:

Name: Name: Address: Address:

Name: Name: Address: Address:

Name: Name: Address: Address:

Name: Name: Address: Address:

Part III - Any Direct or Indirect Parent Entity Which is Publicly Traded:

“To comply with this section, a Vendor with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.”

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this day of

, 20_ .

(Notary Public)

My Commission expires:

(Affiant)

(Print name of affiant and title if applicable) (Corporate Seal if a Corporation)

APPENDIX A

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

The contractor and the Borough of Bradley Beach (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans with Disabilities Act of 1990 (the "Act") (42 U.S.C. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification

clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

(Signature of affiant) Date

MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND SERVICE

CONTRACTS P.L. 1975, c. 127 (N.J.A.C. 17:27)

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Borough of Bradley Beach Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Borough of Bradley Beach contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27 5.2 promulgated by the Treasurer pursuant to

P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17 27 5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment Borough of Bradley Beach which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that a personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public

agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

(Signature of affiant) Date

PERFORMANCE SPECIFICATIONS *For the*

DEMOLITION OF BUILDINGS

317-319 La Reine Avenue,

Block 41, Lot 1

For the

Borough of Bradley Beach, NJ

November 25th 2024

Borough of Bradley Beach, NJ Demolition of Buildings 317-319 LaReine Avenue, Block 41, Lot 1

Performance Specifications

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SECTION 01010 - SUMMARY OF WORK

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. General provisions of the Contract and other Specification Sections, apply to thisSection. 1.2 WORK COVERED BY CONTRACT DOCUMENTS

A. The Project includes the Demolition of Buildings including the Church Structure and the Church Parsonage Building located at 317-319 LaReine Avenue, Block 41, Lot 1, in the Borough of Bradley Beach, NJ. The Church Structure and the Church Parsonage Building are owned by the Borough of Bradley Beach and each structure appears to be serviced with natural gas, electric power, public water, and public sewer utilities.

The scope of work includes obtaining all applicable permits from the Borough of Bradley Beach, rodent extermination, disconnection and removal of utilities and obtaining Utility Company Disconnect Letters, providing traffic and pedestrian protection and signage and acquiring Borough of Bradley Police Control as required, acquiring Certification from the

Freehold Soil Conservation District and implementing approved soil erosion measures, removal of the underground storage tanks, sampling and testing for asbestos containing materials and the abatement of identified asbestos containing materials and securing related permits, testing for lead-based paint and the management of identified lead-based paint materials, and universal waste removals. The building demolition includes removal of the building foundations and footings, and providing dewatering as required, removal of the site paving and site concrete, providing clean fill and backfilling the site, and restoration of the site including the installation of topsoil and seeding, as well as all other Work of any type or description necessary for contemplation of the Project, whether or not specifically described in performance specifications.

1.3 CONTRACTOR USE OF PREMISES

A. General: Limit use of the premises to construction activities on the property and allow for Owner occupancy as required.

B. Use of the Site: Confine operations to areas within Contract limits. Portions of the site beyond areas in which construction operations are not to be disturbed.

1. Driveways and Entrances: Keep driveways and entrances serving the premises clear and available to the Owners and Visitors at all times. Do not use these areas for parking or storage of materials. Schedule deliveries to minimize space and time requirements for storage of materials and equipment on site.

C. The Contractor shall coordinate with the Borough a minimum of 10 working days prior to the start of work. All coordination phasing will be discussed during the Pre-Demolition Conference.

D. The Contractor shall provide complete and safe temporary access, for Owners and Visitors, throughout the project site (24 hours a day).

END OF SECTION 01010

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SECTION 02221 – BUILDING DEMOLITION

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. General provisions of the Contract and other Specification Sections, apply to this Section. 1.2 SUMMARY

A. This Section includes the following:

1. Vermin Extermination
2. Demolition and removal of buildings and foundations
3. Demolition and removal of site items on site.
4. Removal of Hazardous Materials
5. Removing below-grade construction.
6. Disconnecting, capping, and removing utilities.

1.3 DEFINITIONS

A. Remove: Detach items from existing construction and legally dispose of them off-site unless indicated to be removed and salvaged or recycled.

1.4 SUBMITTALS

A. Proposed Environmental-Protection Measures: Submit statement or drawing that indicates the measures proposed for use, proposed locations, and proposed time frame for their operation. Identify options if proposed measures are later determined to be inadequate.

B. Provide a Schedule of Building Demolition Activities: Indicate the following: 1. Permit Acquisitions

2. Rodent Extermination
3. Disconnect of Utilities
4. Install Vehicular and Pedestrian Protection and Signage.

5. Acquire Certification from the Freehold Soil Conservation District by submitting the soil erosion application, including applicable fee, and soil erosion plans signed by a NJ Licensed Professional Engineer, and install the Soil Erosion Measures.
6. Perform the above ground storage tank removals.
7. Perform Hazardous Materials Sampling, Testing, and Removals
8. Perform the Building Demolition
9. Restore the Site with topsoil and grass seed.
10. Detailed sequence of demolition and removal work, with starting and ending dates, for each activity listed and other activities as may be part of the project.

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C. Permits, approvals and Certifications: Prior to commencing demolition, the Contractor shall obtain and submit to the Owner copies of all necessary approvals, certifications and verifications for utility disconnections and demolition activities from any and all administrative Authorities having jurisdiction over the work, including utility companies, Federal, and State as applicable, County and Municipal agencies. The following is applicable:

1. Hazardous Waste Removals.
2. Rodent Extermination Work.
3. Water Shutoff and Water and Sewer Disconnection Work and Certification by Contractor.
4. Electric Company Verification of Electric Disconnection and Certification by Electric Company. Removal work beyond shutoff by Contractor.
5. Verification of Telephone and Cable Companies Disconnection and Certification by Telephone and Cable Companies. Removal work beyond shutoff by Contractor.
6. Permits from Local, County, and State as applicable.

D. Landfill Records: Indicate receipt and acceptance of hazardous and non-hazardous wastes by a landfill facility licensed to accept hazardous or non-hazardous wastes. These receipts must be submitted to applicable agencies as required for review.

E. Statement of Refrigerant Recovery: Signed by refrigerant recovery technician responsible for recovering refrigerant, stating that all refrigerant that was present was recovered and that recovery was performed according to EPA regulations. Include name and address of technician and date refrigerant was recovered.

1.5 QUALITY ASSURANCE

A. Demolition Firm Qualifications: An experienced firm that has specialized in demolition work similar in material and extent to that indicated for this Project.

B. Refrigerant Recovery Technician Qualifications: Certified by EPA-approved certification program.

C. Regulatory Requirements: Comply with governing EPA notification regulations before beginning demolition. Comply with hauling and disposal regulations of authorities having jurisdiction.

D. Standards: Comply with ANSI A10.6 and NFPA 241.

E. Predemolition Conference: Conduct conference at Project site to review methods and procedures related to building demolition including, but not limited to, the following:

1. Review and finalize building demolition schedule and verify availability of demolition personnel, equipment, and facilities needed to make progress and avoid delays.

2. Review and finalize protection requirements.

1.6 PROJECT CONDITIONS

A. Buildings to be demolished will be vacated and their use discontinued before start of Work. B. The Contractor will arrange to have all utilities disconnected prior to demolition.

C. Residents and the Owner will occupy buildings and areas adjacent to the demolition area. Conduct building demolition so Resident's and Owner's will not be disrupted.

1. Maintain access to existing street, walkways, exits, driveways, and other adjacent occupied or used facilities.

- a. Do not close or obstruct street, walkways, exits, driveways or other occupied or used facilities without written permission from authorities having jurisdiction.

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- b. Perform thorough dust control by water spray in accordance with applicable requirements and pay any applicable fees for water system connection and water usage.

D. Owner assumes no responsibility for buildings and structures to be demolished.

1. Conditions existing at time of inspection for bidding purpose will be maintained by Owner as far as practical.

a. Portions of the building may be structurally deficient and may be hazardous. These areas must be stabilized or demolished prior to abatement of certain items.

E. Hazardous Materials: Hazardous materials are present in buildings and structures to be demolished. The Contractor is responsible for sampling, testing, and identifying all hazardous materials, and for the removals and disposals of said materials, in accordance with all local, County, State, and Federal codes and regulations.

1.7 MAINTENANCE AND PROTECTION OF VEHICULAR AND PEDESTRIAN TRAFFIC

A The Contractor shall maintain traffic signs and protect the public from damage to persons and property within reasonable limits conforming to requirement of local authority, and for the duration of the contract. Entrance to the site shall be marked by signs, delineators, or other acceptable methods so that a person who has no knowledge of the condition can safely ride, drive or walk past the entrance to the site of the contract where contractor's access to traffic exists.

B. The Contractor is further advised that throughout the construction period all traffic lanes shall be maintained. During normal daily work period provide appropriate trained traffic protection personnel and adequate traffic protection devices. Obtain Police assistance as required. In any event, vehicular passage shall be unimpeded for emergency vehicles and for access to driveways.

C. The Contractor shall submit to the Owner for review his proposed plan for the maintenance and protection of traffic.

D. Review by the Owner of the Contractor's traffic plan shall in no way relieve the Contractor from his full responsibility for the maintenance and protection of traffic.

PART 2 - PRODUCTS

2.1 SOIL MATERIALS

A. Satisfactory Soils: Comply with requirements in Division 2 Section "Earthwork." B. Engineered Fill: Comply with requirements in Division 2 Section "Earthwork."

2.2 TRAFFIC CONTROL DEVICES

A. All traffic control devices and roadway signs are to be in conformance with the Manual on Uniform Traffic Control Devices and New Jersey Department of Transportation Standard Specifications for Road and Bridge Construction.

PART 3 - EXECUTION

3.1 EXAMINATION

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- A. Survey existing conditions and correlate with requirements indicated to determine extent of building demolition required.
- B. Review of Project Record Documents of existing construction provided by Owner does not guarantee that existing conditions are the same as those indicated in Project Record Documents.
- C. Remediate all hazardous materials before proceeding with building demolition operations.

3.2 PREPARATION

- A. Hazardous Materials and Universal Waste Removals.
- B. Pest Control: Contractor shall employ a certified exterminator, licensed in the state of New Jersey, with a minimum of 5 years of experience in demolition conditions, to develop and implement a Pest Control Plan for removal of rodents and other pests from the buildings and site to be demolished, prior to demolition, and to control pest during demolition.
- C. Existing Utilities to be disconnected: Do not start demolition work until utility disconnecting has been performed and verified in writing by the Utility Companies.
- D. Existing Utilities to be removed by Contractor : Remove all utilities within the project area up to the point of disconnection.
- E. Temporary Shoring: Provide and maintain interior and exterior shoring, bracing, or structural support to preserve stability and prevent unexpected movement or collapse of construction being demolished.
 - 1. Strengthen or add new supports when required during progress of demolition.

3.3 PROTECTION

- A. Existing Facilities: Protect adjacent walkways, and other building facilities during demolition operations.
- B. Temporary Protection: Erect temporary protection, such as fencing and similar safe passageways, where required by authorities having jurisdiction and as indicated.

1. Provide protection to ensure safe passage of people around building demolition area and to and from occupied portions of adjacent buildings and structures.

C. The Contractor shall erect and maintain in good condition barricades, warning signs, flares, yellow traffic flasher units, rubber traffic cones and other traffic control devices appropriately and adequately for the specific needs. All traffic control devices shall be erected and maintained in accordance with the standards described in the Manual on Uniform Traffic Control Devices, latest edition, the New Jersey Department of Transportation and as approved by the Engineer.

D. The Contractor shall provide sufficient watchmen and traffic directors and shall take all other precautions, including any which may be ordered by the Owner, that may be necessary for the safety of the public and protection of the work.

E. Where work is scheduled that will interfere with access to the street, the Contractor shall notify the County at least twenty-four (24) hours in advance of any such interference.

3.4 DEMOLITION, GENERAL

A. General: Demolish the existing buildings consisting of foundations, footings, and any slabs and all site items. Use methods required to complete the Work within limitations of governing regulations and as follows:

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1. Do not use cutting torches until work area is cleared of flammable materials. Maintain fire watch and portable fire-suppression devices during flame-cutting operations.

2. Maintain adequate ventilation when using cutting torches.

3. Locate building demolition equipment and remove debris and materials so as not to impose excessive loads on supporting walls, floors, or framing.

B. Engineering Surveys: Perform surveys as the Work progresses to detect hazards that may result from building demolition activities.

C. Site Access and Temporary Controls: Conduct building demolition and debris-removal operations to ensure minimum interference with streets, walks, walkways, driveways and other adjacent occupied and used facilities.

1. Do not close or obstruct streets, walks, walkways, driveways or other adjacent occupied or used facilities without permission from agencies having jurisdiction. Provide alternate routes around closed or obstructed traffic ways if required by agency having jurisdiction.

2. Use water mist and other suitable methods to limit spread of dust and dirt. Comply with governing environmental-protection regulations. Do not use water when it may damage adjacent construction or create hazardous or objectionable conditions, such as ice, flooding, and pollution.

3.5 MECHANICAL DEMOLITION

A. Proceed with demolition of structural framing members systematically, from higher to lower level.

B. Remove debris from elevated portions by device that will convey debris to grade level in a controlled descent.

1. Remove structural framing members and lower to ground by method suitable to minimize ground impact, ground vibrations, or dust generation.

C. Concrete: Cut concrete full depth at junctures with construction indicated to remain, using power driven saw, then remove concrete between saw cuts.

D. Structural Steel: Dismantle field connections without bending or damaging steel members. Do not use flame-cutting torches unless otherwise authorized by authorities having jurisdiction.

1. Transport steel members and joists as whole units without dismantling them further.

E. Building Components: Remove metal gratings, metal ladders, doors windows, door hardware, cabinets, and light fixtures, as whole units, intact and undamaged.

F. Equipment: Disconnect equipment at nearest fitting connection to services, complete with service valves. Remove as whole units, complete with controls.

Below-Grade Construction: Building foundation walls and foundations shall be removed and disposed of.

G. Existing Utilities: Demolish and remove existing utilities and below-grade utility structures.

1. Piping: Disconnect piping at unions, flanges, valves, or fittings.

2. Wiring Ducts: Disassemble into unit lengths and remove plug-in and disconnecting devices.

3.6 EXPLOSIVE DEMOLITION

A. Explosives: Use of explosives is not permitted.

3.7 SITE IMPROVEMENTS

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A. Remove all existing above grade and below grade improvements and demolish existing buildings and site items.

3.8 SITE RESTORATION

A. Below-Grade Areas: Completely fill below-grade areas and voids created as required resulting from building and site demolition operations with satisfactory soil materials, or Engineered Fill as indicated, according to backfill requirements in Division 2 Section "Earthwork."

B. Site Grading: Uniformly grade area and provide stabilized area as defined in Division 2 Section "Earthwork."

3.9 REPAIRS

A. General: Promptly repair damage to adjacent construction caused by building demolition operations.

B. Where repairs to existing surfaces are required, patch to produce surfaces suitable for new materials.

C. Restore exposed finishes of patched areas and extend restoration into adjoining construction in a manner that eliminates evidence of patching and refinishing.

3.10 RECYCLING DEMOLISHED MATERIALS

A. General: Separate recyclable demolished materials from other demolished materials to the maximum extent possible. Separate recyclable materials by type.

1. Provide containers or other storage method for controlling recyclable materials until they are removed from Project site.

2. Stockpile processed materials on-site without intermixing with other materials. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.

3. Stockpile materials away from demolition area. Do not store within drip line of remaining trees.

4. Store components off the ground and protect from the weather.

B. Recycling Incentives: Revenues, savings, rebates, tax credits, and other incentives received for recycling building demolition materials shall accrue to the Contractor.

C. Concrete: Remove reinforcement and other metals from concrete and sort with other metals.

D. Masonry: Remove metal reinforcement, anchors, and ties from masonry and sort with other metals.

3.11 DISPOSAL OF DEMOLISHED MATERIALS

1. General: Except for items or materials indicated to be recycled, remove demolished materials from Project site and legally dispose of them in an approved landfill.

2. Do not allow demolished materials to accumulate on-site.

3. Remove and transport debris in a manner that will prevent spillage on adjacent surfaces and areas.

B. Burning: Do not burn demolished materials.

C. Burial: Do not bury demolished materials on Owner's property.

D. Disposal: Transport demolished materials off Owner's property and legally dispose of them.

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3.12 CLEANING

A. Clean adjacent structures and improvements of dust, dirt, and debris caused by building demolition operations. Return adjacent areas to condition existing before building demolition operations began.

3.13 RESTORATION

A. Any existing pavements, sidewalks, curbs, utilities, or other improvements within the right-of-ways of adjacent streets or on site to remain are damaged during the work shall be restored to the Owner's satisfaction at the Contractor's expense.

END OF SECTION 02221

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SECTION 02300 – EARTHWORK

PART 1 - GENERAL

1.1 RELATED DOCUMENTS

A. General provisions of the Contract and other Specification Sections, apply to theSection. 1.2 SUMMARY

A. Provide earthwork as herein specified.

B. Type of earthwork includes, but is not limited to, backfilling of excavations and depressions resulting from demolition work, fill, and preparation of grounds forrestoration.

1.3 DEFINITIONS

A. Backfill: Soil materials used to fill an excavation.

B. Borrow: Satisfactory soil imported from off-site for use as fill or backfill. All borrow materials must meet the definition of Certified Clean Fill.

C. Certified Clean Fill: Uncontaminated soil recycled concrete or a blend of the two that meet the project requirements. Certified Clean Fill must be supplied by a quarry or other facility with analytical data (less than one year old) from a New Jersey certified analytical laboratory. The supplier shall provide a certification document attesting that the material meets New Jersey clean fillstandards.

E. Excavation: Removal of material encountered.

F. Soil materials used to raise grade to required elevations.

G. LSRP: Licensed Site Remediation Professional.

H. Structures: Buildings, footings, and foundations, or other man-made stationary features constructed above or below the ground surface.

I. Subgrade: Surface or elevation remaining after completing excavation, or top surface of a fill or backfill immediately below subbase, drainage fill, or topsoil materials.

1.4 SUBMITTALS

A. Material Test Reports: From a qualified testing agency indicating and interpreting test results for compliance of the following with requirementsindicated:

1. Laboratory compaction curve and all test data according to ASTM D 1557 for each on-site or borrow soil material proposed for fill andbackfill.

B. Clean Fill Documentation: Quarry Clean Fill certification document and analytical data per Section 1.3.C.

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1.5 QUALITY ASSURANCE

A. Geotechnical Testing Agency qualifications: An independent testing agency qualified according to ASTM E 329 to conduct soil materials and rock-definition testing, as documented according to ASTM D 3740 and ASTM E548.

1.6 PROJECT CONDITIONS

A. Existing Utilities: Disconnect existing utilities in accordance with local utilities and authorizes having jurisdiction. Refer to Section 02221 BuildingDemolition.

1. Notify Owner not less than two days in advance of proposed utility interruptions. 2. Do not proceed with utility interruptions without Owner's written permission. 3. Contact utility-locator service for area where Project is located before excavating.

PART 2 - PRODUCTS

2.1 SOIL MATERIALS

A. General: Provide borrow soil materials when sufficient satisfactory soil materials are not available from excavations. All material must be Certified Clean Fill per Section 1.3.C.

B. Satisfactory Soils: ASTM D 2487 soil classification groups GW, GP, GM, SW, SP, and SM, or a combination of these group symbols; free of rock or gravel larger than 1 inch in any dimension, debris, waste, frozen materials, vegetation, and other deleterious matter. Maximum of 15% passing the #200 sieve.

C. Unsatisfactory Soils: ASTM D 2487 soil classification groups GC, SC, ML, MH, CL, CH, OL, OH, and PT, or a combination of these group symbols.

1. Unsatisfactory soils also include satisfactory soils not maintained within 2 percent of optimum moisture content at time of compaction.

D. Dense-Graded Aggregate (DGA): Virgin or recycled material meeting the requirements of NJDOT Standard Specifications Section 901.10.

E. Backfill and Fill: Satisfactory soil materials or DGA.

F. Provide Soil Erosion and Sediment Control items.

PART 3 - EXECUTION

3.1 PREPARATION

A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by earthwork operations.

B. Protect subgrades and foundation soils against freezing temperatures or frost. Provide

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protective insulating materials as necessary.

C. Provide erosion-control measures to prevent erosion or displacement of soils and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways.

D. Shoring and Bracing: Shore and brace all excavations at existing structures; conform to OSHA requirements.

3.2 DEWATERING

A. Prevent surface water and ground water from entering excavations, from ponding on prepared subgrades, and from flooding Project site and surrounding area.

B. Protect subgrades from softening, undermining, washout, and damage by rain or water accumulation.

1. Reroute surface water runoff away from excavated areas. Do not allow water to accumulate in excavations. Do not use excavated trenches as temporary drainage ditches.

2. Install a dewatering system as required to keep subgrades dry and convey ground water away from excavations. Maintain until dewatering is no longer required. Discharge from dewatering operations shall be treated as indicated in the plans and in accordance with NJDEP Soil Erosion and Sediment Control regulations.

3.3 EXCAVATION, GENERAL

A. Unclassified Excavation: All excavation is to be unclassified, excavation to subgrade elevations regardless of the character of surface and subsurface conditions encountered, including rock, soil materials, and obstructions.

1. If excavated materials intended for fill and backfill include unsatisfactory soil materials and rock, replace with satisfactory soil materials.

3.4 APPROVAL OF SUBGRADE

A. Notify Owner during excavations. The Contractor shall retain an independent laboratory to inspect excavations.

B. If the Soils Consultant determines that unsatisfactory soil is present, continue excavation and replace with compacted backfill or fill material as directed.

C. Proof roll subgrade with heavy pneumatic-tired equipment to identify soft pockets and areas of excess yielding. Do not proof roll wet or saturated subgrades.

D. Reconstruct subgrades damaged by freezing temperatures, frost, rain, accumulated water, or construction activities, as directed by Engineer.

3.5 UNAUTHORIZED EXCAVATION

A. Fill unauthorized excavation. Lean concrete fill may be used when approved by Owner. 1. Fill unauthorized excavations under other construction or utility pipe as directed by

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Owner.

3.6 STORAGE OF SOIL MATERIALS

A. Stockpile materials and satisfactory excavated soil materials. Stockpile soil materials without intermixing. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.

1. Stockpile soil materials away from edge of excavations. Do not store within drip line of remaining trees.

3.7 BACKFILL

A. Place and compact backfill in excavations promptly, but not before completing the following:

1. Locations of underground utilities for record documents.

2. Inspecting and testing underground utilities.

3. Removing trash and debris.

3.8 FILL

A. Preparation: Remove vegetation, topsoil, debris, unsatisfactory soil materials, obstructions, and deleterious materials from ground surface before placing fills.

B. Place and compact fill material in layers.

3.9 MOISTURE CONTROL

A. Uniformly moisten or aerate subgrade and each subsequent fill or backfill layer before compaction to within 2 percent of optimum moisture content.

1. Do not place backfill or fill material on surfaces that are muddy, frozen, or contain frost or ice.
2. Remove and replace, or scarify and air-dry, otherwise satisfactory soil material that exceeds optimum moisture content by 2 percent and is too wet to compact to specified dry unit weight.

3.10 COMPACTION OF BACKFILLS AND FILLS

A. Place backfill and fill materials in layers not more than 12 inches in loose depth for material compacted by heavy compaction equipment, and not more than 6 inches in loose depth for material compacted by hand-operated tampers. Do not disturb neighboring buildings by using heavy compaction equipment.

B. Compact soil to not less than the following percentages of maximum dry unit weight according to ASTM D 1557.

1. Satisfactory soils - 95%.
2. DGA and Engineered Fill - 95%.

3.11 GRADING

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A. General: Uniformly grade areas to a smooth surface, free from irregular surface changes. Comply with compaction requirements and grade to meet existing grades.

1. Provide a smooth transition between adjacent existing grades and new grades.
2. Cut out soft spots, fill low spots, and trim high spots to comply with required surface tolerances.

3.12 FIELD QUALITY CONTROL

A. The Contractor shall provide and pay for a qualified Testing agency that will test compaction of soils in place according to ASTM D 1556, ASTM D 2167, ASTM D 2922, and

ASTM D 2937, as applicable. All cost and testing expense shall be borne by Contractor. Tests will be performed at the following locations and frequencies:

1. Backfill: At each compacted backfill layer, at least one test for each 2,000 square feet or less of backfill area.
- B. When testing agency reports that subgrades, fills, or backfills have not achieved degree of compaction specified, scarify and moisten or aerate, or remove and replace soil to depth required; re-compact and retest until specified compaction is obtained.

3.13 PROTECTION

A. Protecting Graded Areas: Protect newly graded areas from traffic, freezing, and erosion. Keep free of trash and debris.

B. Repair and grade to acceptable tolerances where completed or partially completed surfaces become eroded, rutted, settled, or where they lose compaction due to subsequent construction operations or weather conditions.

1. Scarify or remove and replace soil material to depth as directed by Owner, reshape and re-compact.

C. Where settling occurs before Project correction period elapses, remove finished surfacing, backfill with additional soil material, compact, and reconstruct surfacing.

1. Restore appearance, quality, and condition of finished surfacing to match adjacent work, and eliminate evidence of restoration to the greatest extent possible.

3.14 DISPOSAL OF SURPLUS AND WASTE MATERIALS

A. Disposal: Transport surplus soil and dispose of properly.

END OF SECTION 02300